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09/781,927	02/12/2001	G. R. Konrad Roeder	01P7462US	1791

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Siemens Corporation
Intellectual Property Department
186 Wood Avenue South
Iselin, NJ 08830

EXAMINER	
ELAHEE, MD S	

ART UNIT	PAPER NUMBER
2645	4

DATE MAILED: 09/27/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/781,927	Applicant(s) ROEDER, G. R. KONRAD	
	Examiner Md S Elahee	Art Unit 2645	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *03* MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-38* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-38* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *02, 03*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities: page 1 has missing information under the "Cross-Reference to Other Applications" heading, reference is made to a US application but the application number is missing.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-24, 27 and 28 are rejected under 35 U.S.C. 102(e) as being anticipated by Roberts et al. (U.S. Patent No. 6,208,854).

Regarding claims 1 and 17, Roberts teaches allowing a telephone subsystem to forward calls for a telephonic device to a first call forwarding destination (fig.3, 5 show logic that forwards call to landline unit; col.2, lines 32-47, col.3, line 26-col.4, line 15).

Roberts further teaches allowing a wireless subsystem to forward calls for a mobile station to a second call forwarding destination, the mobile station associated with the telephonic device (fig.3, 5 show logic that forwards call to wireless phone if active; col.2, lines 32-47, col.3, line 26-col.4, line 15).

Roberts further teaches determining a registration state of the mobile station (fig.3; col.2, lines 35-38). (Note; since the logic determines the availability of the wireless unit, it is clear that it determines registration state of the unit)

Roberts further teaches synchronizing the call forwarding destinations for the mobile station and the telephonic device in response to a change to at least one of the registration state, the first call forwarding destination, and the second call forwarding destination (fig.3, 5; col.2, lines 32-47, col.3, line 26-col.4, line 15).

Regarding claims 2, 10 and 18, Roberts teaches instructing the telephone subsystem upon registration of the mobile station to set the first call forwarding destination to the mobile station (col.2, lines 32-47, col.3, line 26-col.4, line 15).

Roberts further teaches instructing the wireless subsystem to clear the second call forwarding destination (col.2, lines 32-47, col.3, line 26-col.4, line 15).

Regarding claims 3, 5, 11, 13, 19 and 21, Roberts teaches instructing the wireless subsystem upon registration of the mobile station to set the second call forwarding destination to the same destination as the first call forwarding destination (col.2, lines 32-47, col.3, line 26-col.4, line 15).

Regarding claims 4, 12 and 20, Roberts teaches instructing the telephone subsystem to set the first call forwarding destination to the same destination as the second call forwarding destination (col.2, lines 32-47, col.3, line 26-col.4, line 15).

Regarding claims 6, 14 and 22, Roberts teaches instructing the telephone subsystem to set the first call forwarding destination to the mobile station (col.2, lines 32-47, col.3, line 26-col.4, line 15).

Regarding claims 7, 15 and 23, Roberts teaches starting a timer (col.4, lines 2-5).

Roberts further teaches instructing the telephone subsystem to set the first call forwarding destination to the mobile station and instructing the wireless subsystem to clear the second call forwarding destination if a new destination is not provided before the timer elapses (fig.6; col.2, lines 32-47, col.3, line 26-col.4, line 15).

Roberts further teaches instructing the telephone subsystem to set the first call forwarding destination to the new destination and instructing the wireless subsystem to set the second call forwarding destination to the same destination as the first call forwarding destination if the new destination is provided before the timer elapses (fig.6; col.2, lines 32-47, col.3, line 26-col.4, line 15).

Regarding claims 8, 16 and 24, Roberts teaches determining upon deregistration of the mobile station if the first call forwarding destination is set to the mobile station (col.2, lines 32-47, col.3, line 26-col.4, line 15).

Roberts further teaches instructing the telephone subsystem to clear the first call forwarding destination if the first call forwarding destination is set to the mobile station (col.2, lines 32-47, col.3, line 26-col.4, line 15).

Regarding claim 9 is rejected for the same reasons as discussed above with respect to claim 1. Furthermore, Roberts' logic (fig.3 and 5) inherently teaches a computer processable medium and application program.

Regarding claim 27 is rejected for the same reasons as discussed above with respect to claims 1-8.

Regarding claim 28 is rejected for the same reasons as discussed above with respect to claims 9-16.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 25, 26 and 29-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Roberts et al. (U.S. Patent No. 4,829,554) and in view of Kimball (U.S. Patent 5,953,322) and further in view of Iwama et al. (U.S. Patent No. 6,600,735).

Regarding claim 25, Roberts teaches a base station operable to communicate with the mobile station (fig.4). (Note; it is inherent that base station is communicating with mobile unit 420).

However, Roberts does not specifically teach wherein the wireless subsystem comprises:

A wireless adjunct internet platform operable to communicate with the base station

A gateway operable to communicate with the wireless adjunct internet platform and telephone subsystem and

A gatekeeper operable to generate signaling messages to control the telephone subsystem.

Kimball teaches a cellular Internet telephone (title, abstract) that supports connections between an Internet call and a mobile station (figure 1).

Iwama teaches an Internet telephone connection supports a call connection to the PSTN through a gateway device (fig.1, item 102a) for use in an Internet telephone system

having a gateway device (i.e., a gate keeper #101a, a bandwidth controller, and a router, etc.). (col.1, lines 15- 53).

The examiner notes that the above "features" are readily available in today's telecommunication systems/hardware. Call forwarding can be invoked either directly or remotely.

It would have been obvious to one skilled in the art at the time of the invention to modify Roberts, such that gateway/gatekeepers and Internet are supported, to provide means for computer processors/gatekeepers are used for connections to the Internet as is known in the art.

Regarding claim 6, Roberts teaches wherein the phone subsystem comprises a PBX (the components shown in figure 4 read on a PBX, ie. SSP, SCP, STP and Tandem Switch).

The wireless system supports GSM (col.5, lines 53, 54).

However, Roberts does not specifically teach the packet subsystem supporting the H.323 standard.

Iwama teaches a method of implementing a protocol for servicing a telephone call from Internet to a PSTN is provided in Recommendation H.323 of ITU-T (International Telecommunication Union-Telecommunication Standardization Sector). In H.323, a gateway device for performing the interconnection processing between a PSTN and the Internet, and a gate keeper for managing/controlling plural gateway devices are used as main constituent elements. The gateway device performs conversion of a call control protocol and audio signals between the PSTN and the Internet. The gate keeper serves to manage the gateway devices in a zone under its control, and mainly performs selection of

a connection destination gateway, authorization and admission control of a calling side, and allocation of a telephonic communication bandwidth in response to a call setup request from an IP (Internet Protocol) terminal or a gateway device (col.1, lines15-53).

It would have been obvious to one skilled in the art at the time of the invention to modify Roberts, such that H.323 is supported, to provide supported for H.323 communications.

Regarding claim 29 is rejected for the same reasons as discussed above with respect to claim 27. Furthermore, Roberts teaches a base station operable to communicate with the mobile station (fig.4). (Note; it is inherent that base station is communicating with mobile unit 420)

However, Roberts does not specifically teach Internet, a gateway, gatekeeper for call forwarding features.

Kimball teaches a cellular Internet telephone (title, abstract) that supports connections between an Internet call and a mobile station (figure 1).

The examiner notes that "gateways and gatekeepers" are known in the art of phone communications and provide translation between two disparate networks.

Iwama teaches an Internet telephone connection supports a call connection to the PSTN through a gateway device (figure 1, #102a) for use in an Internet telephone system having a gateway device (i.e., a gate keeper #101a, a bandwidth controller, and a router, etc.) (col.1, lines 15-53).

It would have been obvious to one skilled in the art at the time of the invention to modify Roberts, such that gateway/gatekeepers and Internet are supported, to provide

means for computer processors/gatekeepers are used for connections to the Internet as is known in the art.

Regarding claims 30 and 33 are rejected for the same reasons as discussed above with respect to claim 29. Furthermore, Roberts does not specifically teach a phone client.

Kimball teaches an Internet call subsystem that reads on a client/server architecture (figure 3, #22; col.5, line 58 to col.6, lines 1-7).

It would have been obvious to one skilled in the art at the time of the invention to modify Roberts, such that gatekeepers/gateways, Internet and invoking of features is supported, to provide means for control of connectivity to the Internet.

Regarding claim 36 is rejected for the same reasons as discussed above with respect to claim 33. Furthermore, Roberts' logic (figures 3 and 5) inherently teaches a computer processable medium and application program.

Regarding claim 31, 34 and 37 are rejected for the same reasons as discussed above with respect to claims 30/33/36. However, Roberts does not specifically teach wherein the client operates in the active state when the mobile is registered and in the non-active state when the mobile is unregistered.

Kimball teaches a cellular Internet telephone (title) that has both Cellular and Internet Call Subsystem (figure 3, #20 and #22) that reads on a client/server architecture (col.5, line 58 to col.6, lines 1-7). One skilled expects that the mobile phone (with limited battery power) will only activate the client when an Internet phone call is in progress.

It would have been obvious to one skilled in the art at the time of the invention to modify Roberts, such that a client/server architecture is used, to provide means for client/server control as is known in the art (offloads all processing from a central server).

Regarding claims 32, 35 and 38 are rejected for the same reasons as discussed above with respect to claims 30/33/36. However, Roberts does not specifically teach wherein the client comprises at least one of a voice over packet phone, computing device and a gateway to communicate with another communication system.

Kimball teaches a cellular Internet telephone (title) that reads on voice over packet.

The examiner takes Official Notice that combination mobile phones/computing devices" are known in the art (which also reads on a gateway device).

It would have been obvious to one skilled in the art at the time of the invention to modify Roberts, such that the client can be a voice over packet phone, computing device or gateway, to provide means for the phone to connect via IP and/or be both a phone and computer.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Plomondon et al. (U.S. Patent No. 5,729,599) teach Method and system of forwarding calls in a remote access call forwarding service of a telephone system and Sienel et al. (U.S. Patent No. 6,426,942) teach Device and method for establishing a call connection.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Md S Elahee whose telephone number is (703) 305-4822. The examiner can normally be reached on Mon to Fri from 8:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (703) 305-4895. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

M. E.
MD SHAFIUL ALAM ELAHEE
September 9, 2004

FAN TSANG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600